

NOT FOR DIVORCE, BUT AN ANNULMENT

Countess of Yarmouth Will Contend Marriage Not Consummated.

EARL WILL LOSE HIS ALLOWANCE

Story of Large Marriage Settlement Required by Earl Is Fully Exploded — Mrs. William Thaw's Illness Not Due to Her Daughter's Troubles.

LONDON, January 4.—The Honorable the Earl of Yarmouth, whose wife, formerly Miss Alice Thaw, of Pittsburg, has begun suit for the nullification of their marriage, has given notice that they propose to defend the action. The case probably will not be heard for several weeks.

While this action is quite distinct from a divorce, it will be heard at the same time as the sittings of which begin January 11th. The court has only two judges, and there are on the calendar 156 undefended cases, which take precedence over the defended suits.

The Yarmouth suit stands sixty-one on the list of defended cases. Lewis & Lewis, solicitors, of the Inner Temple, which Sir George Lewis, the best known lawyer in England, is the head, will represent the countess.

Insanely previous to marriage, non-

consummation of the marriage relation, or an existing marriage, are the only grounds upon which, under the English law, a marriage may be annulled.

NO MARRIAGE SETTLEMENT.

Attorney Sempke Disposes of Rumor
Current After Wedding.
PITTSBURG, PA., January 4.—The many stories concerning the financial

settlement growing out of the marriage of the Earl of Yarmouth and Miss Alice Thaw were set at rest today by a statement issued by Frank Semple, Jr., agent and attorney for the

"There appears to be some misapprehension in regard to the fortune of the countess. It is all in her own control. The Earl of Yarmouth has not squandered her wealth. A large part of her fortune was placed in the hands of trustees by her father under his will, and, previous to the marriage of the countess, he placed the remaining por-

tion in a private trust for her own use and it is being held in this country and under her control. Money is sent to her from America as she wants it. The countess set aside an allowance for the earl under the marriage settlement, but she made it "very, very" small. It is believed here that, should the countess secure a nullification of her marriage as applied for in the English courts, the earl's monthly allowance will stop.

Sympathy for Countess.

The nature of the charges brought by the countess have resulted in many expressions of sympathy for her.

Attorney Semple admitted to-day that Mrs. William Thaw, mother of the countess, is at her home in this city confined with a slight attack of rheumatism.

THAW TRIAL ON TO-MORROW.
Exclusion of Women Will Diminish
Crush in Court.

NEW YORK, January 4.—The nine conferences of the attorneys engaged in the defense of Harry K. Thaw were held to-day without the presence of Mrs. William Thaw, the mother, who was expected to go over the case in its entirety with the lawyers. Mrs. Thaw is still too ill to come on from her home.

The trial will be held in the same branch of the Supreme Court as before. The counsel rail in the room has been extended, and the prisoner and his

Justice Victor Dowling, who will preside at the trial, is one of the youngest members of the State Supreme bench, but has already attained a wide reputation as a jurist. He has expressed an intention to hold the opposing attorneys steadily to their tasks and to expedite the trial as much as possible.

able, it is intimated that in the worst case, the selection of a jury for the trial will be difficult, night sessions will be held. The defendant and his attorneys, as well as the district attorney, are in accord with Justice Dowling, and will do everything in their power to hasten the proceedings.

The ban upon the attendance of women will go far toward preventing repetition of the almost riotous scene in the courthouse corridors which marked the opening of the first hearing.

Since the announcement that Anthony Comstock, head of the Society for the Suppression of Vice, would be called as one of the principal witnesses for the defense, the rumor has once more gained circulation that Mrs. Evelyn Nesbit Thaw will not take the stand, the theory being that Comstock's testimony will indicate that Thaw had

heard regarding Stanford White, and thus relieve the wife from repeating her remarkable story. (It was again authoritatively stated to-day, however, that young Mrs. Thaw will be relied upon as the chief witness.

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